

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jerry L. Means Trustee of the
 Jerry L. Means Trust
 RR3 Box 1879,
 Stilwell OK 74960**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

(By) DEPUTY CLERK

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United States District Court

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v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Colleen Brown individually**
RR 1 Box 2325,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date


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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Ronald Allen Brown individually**
RR 1 Box 2325,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

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v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Alfred E. Hembree individually**
PO Box 234,
Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

S. McDaniel
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: **Steven Wesley Cain individually**
14263 N 610 Rd,
Proctor OK 74457

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Feterson Farms

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 Kutack Rock LLP
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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) S. McDaniel
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Wanda L. Dotson individually**
21932 Stick Ross Mtn Rd.,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
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 1717 South Boulder, Suite 200
 Tulsa, OK 74119
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

(By) Deputy Clerk

MAR 15 2006

 Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

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THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAA

To: **Mary Lansberg Service agent for
 River Farms of Tahlequah LLC
 2924 Drakeston Ave.,
 Oklahoma City OK 73120**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A
CIVIL ACTION

V.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE/SAJ

To: **Evelyn Proctor individually**
RR 4 Box 205,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date _____

(Bx) DEPUTY CLERK

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.
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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.
 City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Mark Kelly individually**
RR 4 Box 205,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

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THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Phillip Dewayne Proctor individually**
RR 4 Box 205,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
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MAR 15 2006

Phil Lombardi

Clerk

Date

(By) DEPUTY CLERK

(B~~y~~) DEPUTY CLERK

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STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Verlie B. Secratt Trustee of the
 Verlie B. Secratt Revocable Trust
 14269 N 569 Rd.,
 Proctor OK 74457**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Katak Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

S. P. MacDonell
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE/SAJ

To: **Susan Morrison individually**
RR 1 Box 278,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) S. J. MacDermid
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Kenneth E. Davis individually**
5206 S. Harvard, Unit 231,
Tulsa OK 74135

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
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Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
Clerk

Date


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Forrest Howard Timmons Service agent for
 Tumbling T Bar, LLC
 10733 N 569 Rd.,
 Proctor OK 74457**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

S. P. McDaniel
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Eugene Dills d/b/a**
Cookson Country Store and Cabins
19724 W. Cookson Bend Road,
Cookson OK 74427

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutaak Rock LLP
The Three Sisters Building
214 West Dickson Street
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For Tyson Foods, Inc.

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Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Eugene Dills individually**
19724 W. Cookson Bend Road,
Cookson OK 74427

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutack Rock LLP
The Three Sisters Building
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

MAR 15 2006

Date

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Doris Mares d/b/a**
Cookson Country Store and Cabins
P. O. Box 46,
Cookson OK 74427

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutack Rock LLP
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Fayetteville, AR 72701-5221
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Oklahoma City, OK 73102
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Doris Mares individually**
P. O. Box 46,
Cookson OK 74427

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **David Spears individually**
H.C. 61 Box 157,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) S. McDaniel
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Dorothy Ann Means individually**
RR3 Box 1879,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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 Tulsa, OK 74119
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Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) *S. McDaniel*
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Dorothy Gene Lamb d/b/a
Strayhorn Landing Marina & Gene's Scuba Sales
Rt. 1 Box 253 & Rt 1. Box 255 G,
Gore OK 74435**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **George Cripps individually**
PO Box 606,
Sallisaw OK 74955

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
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Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

ISSUED

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
Clerk

Date

S. McDaniel
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jack Spears individually**
7704 Highway 10,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006

S. McDaniel
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jackie Hamm individually**
RR 3 Box 1460,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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1717 South Boulder, Suite 200
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **James D. Morrison individually**
RR 1 Box 278,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
 The Three Sisters Building
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 Oklahoma City, OK 73102
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 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 Tulsa, OK 74119
 For George's Inc.

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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

 Date

D. McDaniel
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Jerry Wayne Hare as Trustee of the
Jerry Wayne Hare Revocable Trust
25881 E. Lane School Rd.,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutack Rock LLP
The Three Sisters Building
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Fayetteville, AR 72701-5221
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **John T. Posey, Jr. individually**
HC 68, Box 1065,
Vian OK 74962

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 For Simmons Foods, Inc.

ISSUED

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Laura Hamm individually**
RR 3 Box 1460,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa OK 74119
For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 15 2006

Date

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.
 TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.
 City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Linda Fidler individually**
Route 1, Box 215 F,
Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

S. MacDarl
 (By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: **Mary Jo Hare d/b/a
 Crystal Creek Ranch
 25881 E. Lane School Road,
 Tahlequah OK 74464**

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAA

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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Phil Lombardi

Clerk

(By) DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

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STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Mary Jo Hare individually
25881 E. Lane School Road,
Tahlequah OK 74464

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

S. MacPail

(By) DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Melissa Kelly individually**
RR 4 Box 205,
Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Ron Fidler individually**
Route 1, Box 215 F,
Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date


 (By) DEPUTY CLERK